

Application No. 10/001,850

CASE CT-2633 NP

**REMARKS**

Claims 26 and 32 have been amended. New claim 35 (identical to original claim 33 which was previously cancelled). Claims 1-32 and 35 will be pending upon entrance of this amendment. No new matter has been added.

Applicants wish to thank the Examiner for discussing with the undersigned, on September 7, 2004, the possibility of entering new claim 35 (directed to a method of inhibiting HCV NS3 protease) and rejoining it upon allowance of claims 1-31 (directed to novel compounds).

**1. Rejection Of Claim 32 Under 35 U.S.C. §112, First Paragraph Has Been Obviated**

Claim 32 stands rejected under the first paragraph of 35 U.S.C. §112, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The detailed reasoning for such rejection are set forth at pages 2-4 of the Office Action. The Examiner suggested that the term "pharmaceutical" be deleted from claim 32 in order to overcome such rejection.

While Applicants disagree with the basis for such rejection, it is Applicants' understanding that deleting the term "pharmaceutical" from the preamble of claim 32 would not narrow the scope of such claim. Hence, in the interest of expediting allowance, Applicants have amended claim 32 according to the Examiner's suggestion and obviated the rejection under 35 U.S.C. §112, first paragraph.

**2. Objection of Claim 26 Has Been Obviated**

Claim 26 stands objected because of a typographical/grammatical error. Applicants have replaced the term "prodrugs" with its singular form "prodrug", as per the Examiner's suggestion.

**3. New Claim 35 Should be Rejoined**

Based on the September 7, 2004 telephone between the Examiner and the undersigned, new claim 35, which is identical to cancelled claim 33, has been added. Claim 33 (or equivalently, claim 35) belongs to the non-elected Group II, and as indicated in the May 13, 2004 restriction requirement could possibly be rejoined if the product claims (1-31) are allowed.

Claim 35 is directed to "[a] method of inhibiting HCV NS3 protease which comprises administering ... a compound of claim 1-31 or . . . ". Hence, if compound claims 1-31 are found allowable, method claim 35 should be rejoined and allowed.

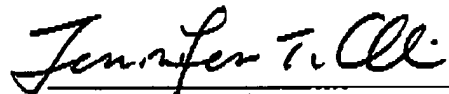
Application No. 10/001,850

CASE CT-2633 NP

In view of the foregoing, Applicants submit that the application is now in condition for allowance and early and favorable action is earnestly sought. Should any issues remain, the Examiner is invited to telephone the undersigned at (203)677-5644.

Respectfully submitted,

Bristol-Myers Squibb Company  
Patent Department  
P.O. Box 4000  
Princeton, NJ 08543-4000  
203-677-5644



Jennifer Chin, Ph.D.  
Attorney for Applicants  
Reg. No. 47,487

Date: September 9, 2004